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Before the  
UNITED STATES COPYRIGHT ROYALTY JUDGES  
Library of Congress  
Washington, D.C.

*In re*

DETERMINATION OF ROYALTY  
RATES AND TERMS FOR  
EPHEMERAL RECORDING AND  
DIGITAL PERFORMANCE OF SOUND  
RECORDINGS (*WEB IV*)

DOCKET NO. 14-CRB-0001-WR  
(2016-2020)

**JOINT MOTION FOR AN ORDER  
REQUIRING ALL PARTICIPANTS TO FILE A NOTICE  
OF INTENTION TO SUBMIT A WRITTEN DIRECT STATEMENT**

**I. INTRODUCTION**

The undersigned participants<sup>1</sup> (“Movants”) hereby respectfully request that the Copyright Royalty Board (“CRB”) issue an order requiring all participants that filed a Petition to Participate and have not been dismissed to file a Notice of Intention to Submit a Written Direct Statement. The Notices should indicate whether the participant intends to file a Written Direct Statement by the October 7, 2014 deadline. The Movants request that the Judges require the participants to file and serve these Notices no later than October 3, 2014, one week before the deadline for Written Direct Statements.

**II. DISCUSSION**

All participants in this proceeding must file and serve a Written Direct Statement by October 7, 2014. 37 C.F.R. 351.4(a); Order Establishing Revised Case Schedules (Aug. 29, 2014). A Written Direct Statement includes “witness statements, testimony, and exhibits to be

<sup>1</sup> SoundExchange sought input from the other participants on this motion. GEO Music Group joins in the motion, and no participants expressed any opposition to this motion.

presented in the proceedings, and such other information that is necessary to establish terms and rates.” 17 U.S.C. § 803(b)(6)(C)(ii)(II). It would bring clarity for everyone involved if the remaining participants declare at this time their intention to file a Written Direct Statement. The CRB has issued similar orders in both the Webcasting II and Webcasting III proceedings. *See* Order, Dkt. No. 2009-1 CRB Webcasting III (Aug. 31, 2009) (Webcasting III); Order, Dkt. No. 2005-1 CRB DTRA (Oct. 5, 2005) (Webcasting II).

Such an Order would promote efficiency in this proceeding. As many as twenty-six remaining participants may file Written Direct Statements. Some of these remaining participants may choose not to file Written Direct Statements. In those cases, the Movants and other remaining participants should not have to bear the burden of the often substantial costs associated with serving Written Direct Statements on those who choose not to participate. Furthermore, as such Notices would only be required a few days before the filing of Written Direct Statements, there would be little inconvenience to the remaining participants, particularly when balanced against the burdens associated with independently determining the appropriate parties for service of Written Direct Statements.

### **III. CONCLUSION**

For the aforementioned reasons, the Movants respectfully request that the Judges issue an order requiring each remaining participant to file and serve a Notice of Intention to Submit a Written Direct Statement by no later than October 3, 2014.

Dated: September 24, 2014

Respectfully submitted,

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*GEO Music Group*

## CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that on September 24, 2014, I caused a copy of Parties' **JOINT MOTION FOR AN ORDER REQUIRING ALL PARTIES TO FILE A NOTICE OF INTENTION TO SUBMIT A WRITTEN DIRECT STATEMENT** to be served by U.S. FIRST CLASS MAIL and EMAIL to the Participants as indicated below:

### *Participants*

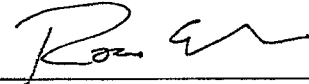
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